CALIFORNIA REGIONAL WATER QUALITY CONTROL BOARD
SAN DIEGO REGION

REGIONALIZATION

OF THE

STATE WATER RESOURCES CONTROL BOARD

STRATEGIC PLAN

October 6, 2003

John H. Minan	John H. Robertus
Board Chairman	Executive Officer

CALIFORNIA REGIONAL WATER QUALITY CONTROL BOARD
SAN DIEGO REGION

REGIONALIZATION OF THE SWRCB STRATEGIC PLAN

October 6, 2003

A. EXECUTIVE SUMMARY

Strategic planning is essential to successfully carrying out the mission of the Regional Board. In November 2001, the State Water Resources Control Board issued a "Strategic Plan: A Vision for the Future." The purpose of this plan is to "highlight those new priorities that need to be addressed over the next five years." The 2001 plan was part of the regular strategic planning process for the state. The State Board completed a strategic plan in 1995 and revised it in 1997.

Using the framework of the 2001 Strategic Plan, the Chairman of the San Diego Regional Water Quality Control Board (John H. Minan) and the Executive Officer (John Robertus) began working on a strategic assessment of the water quality priorities and programs in Region 9. The following report, entitled "The Regionalization of the SWRCB Strategic Plan," was prepared to provide a regional, strategic water quality perspective.

The primary purpose of this report is to identify the dominant challenges that Region 9 faces in the next five years and the strategies for addressing those challenges. It is intended to aid current and future Regional Board members, the staff of the Regional Board, and the public in better understanding our regional priorities and intended directions. The report will be revised on the same general cycle as the State Board's strategic planning process or when significant changes in the region occur.

B. SAN DIEGO REGIONAL BOARD

1. THE REGIONAL BOARD MISSION

The mission of the Regional Board is to preserve and enhance the quality of California's water resources and to ensure their proper allocation and efficient use for the benefit of present and future generations.

2. AUTHORITY AND GOVERNING PRINCIPLES

The Regional Board, for most of its activities, implements the Federal Clean Water Act (CWA), enacted by Congress in 1972. This includes a number of general programs, including the National Pollution Discharge Elimination System (NPDES) point source program, the pretreatment program applicable to indirect dischargers, the non-point source (NPS) program, the dredge and fill program, administered by the U.S. Army Corps of Engineers, and the oil spill program.

The United States Environmental Protection Agency (EPA) is authorized by the CWA to delegate NPDES permit responsibilities to a state provided that the state has a permit program that is substantially equivalent to the federal program. California has enacted equivalency legislation authorizing it to implement and administer the CWA. Whenever a federal agency is the issuing authority for a license or permit (including a NPDES permit), section 401 requires that the state "certify" that any resulting discharge into navigable waters will comply with the effluent and water quality standards of the CWA. No federal license or permit may be granted without the requisite 401 certification. In addition to acting under the CWA, the Regional Board has independent authority to act under the state law, principally the Porter-Cologne Act.

The Regional Board has and will continue to utilize the control and reduction of point source pollutants at the point of discharge. There is increasing effort to go beyond the proven methods of regulating point sources using effluent limits and receiving water quality pollutant standards. Regulating NPS pollutant discharges by reducing or eliminating them at their source is a growing challenge. This requires the identification and regulation of many responsible dischargers for this ubiquitous pollution. This effort will require extensive public participation and education. The Regional Board has seen a dramatic increase in observations and complaints about ambient water quality conditions.

Today, most water quality monitoring in the region is dedicated to ensure discharger compliance. We do not have sufficient monitoring of ambient waters to maintain a clear picture of impacts over time from discharges of pollutants or urban development. We expect the SWRCB to pursue resources to establish such a program in the future; however, we will likely also require additional monitoring of receiving waters by dischargers.

The Regional Board encourages full participation of the public. This public process affords full access to activities and deliberations of the Board and access to all information possessed by the Board, except as limited by law. The Regional Board also strives to seek environmental justice whenever it is a consideration in the regulatory process.

3. RESOURCES:

FUNDING

The funding available to the Regional Board will determine our overall capability to respond to water quality issues in the region. It has no direct role in the budget process, however the SWRCB allocates funds among Water Board organizations based on legislative mandates, statewide priorities and region specific issues. The Regional Board's role in the budget process is to make our resource needs known to SWRCB management and to utilize available resources effectively and efficiently.

The near-term funding picture is unclear. We began FY 2003-04 without a state budget and without a plan for coping with the projected state budget deficit. As a worst case we have the threat of continual reductions in available funding over the next few years. However, our funding is derived from a variety of sources, including fees, federal allocations from the Federal Clean Water Act and Department of Defense sources, state issued bonds and the state General Fund. The Regional Board's projected budget for Fiscal Year 2003-04 is comprised of 39.0 % fees, 17.1 % federal sources, 2.7 % bond issues, 18.6 % General Fund and 22.6 % other sources. Over the past three years our budget support has shifted from General Fund to fees. This may reduce the threat of future budget cuts.

Our Regional Board total budget for FY 2003-04 is $6,908,765, which includes $735,367 in contract funds. We began this year with 69.8 staff positions filled and a budget that, as a result of cuts incurred in FY 2002-03, would support 69.2 staff positions. The projected shortfall in funding for staff positions is expected to be mitigated by a combination of attrition, re-distribution of surplus funds among the Water Board organizations and, if necessary, layoffs.

EMPLOYEES

Our greatest resource is our highly qualified and respected staff and Board Members. The San Diego Regional Board currently has about 70 full-time equivalent employees. State law establishes a nine person Board. Currently, eight Board Members are serving. The most recent Needs Assessment for our core regulatory workload was completed about three years ago and reflected a total end-strength requirement of about 130 employees. Since that assessment, there have been minor reductions in some programs and increases in others, such as the Total Maximum Daily Load (TMDL), Non-Point Source and Grants Assistance Programs that have slightly increased our overall requirements. To date there have been no significant personnel reductions from budgetary cuts or losses due to attrition, however a possible 10% reduction was announced on June 18, 2003.

The staff is more experienced, trained and capable than at any time in our past. We are currently waiting to see what reductions are actually required due to budget restraints. Otherwise, we hope we can sustain this level of capability with slight reductions due to normal attrition during the 2003/2004 Fiscal Year. Beyond FY 03-04 it is difficult to predict the budget resources to support our staffing levels. Because most employees are now funded with fee based resources, we hope few, if any, reductions will be imposed. A hiring freeze is likely to remain in place for the foreseeable future.

The Regional Board is provided full time legal counsel by an attorney working in Sacramento and visiting the Regional Board office about 4-5 days a month. This provides for his daily contact with the Office of Chief Council and for attendance at Regional Board meetings and for those occasions that require him to be in San Diego. Changes to this arrangement are not expected.

FACILITIES

The Regional Board facilities are excellent. There is ample space for all employees and administrative functions required by the Board at this time. The public meeting room for Regional Board meetings and multiple smaller rooms for public and staff meetings is a significant advantage in serving the public and our internal needs. With the exception of not having a videoconference capable room, our internal and external electronic communications system is excellent. We use only limited off-site storage for document retention. All vehicles, field equipment and our boat and trailer are properly stored and available on-site. We plan to collect and organize our current technical reference materials that are now located in cubicles and boxes, into our library room within the next 18 months. Our office facilities should continue to provide the needed level of support for the foreseeable future.

INFORMATION MANAGEMENT

Our information management system has several components consisting of our communications, public record files and our data that is stored in electronic (digital) format. Most of our communications needs are being met with our local and wide area network. However, we do not yet have a paperless office due to our reliance on paper based documentation in our public records. Approximately 95% of our information storage and retrieval are in paper form located in 19,000 files stored in our file room.

The SWRCB has established several information technology systems such as Geotracker and SWIM that afford rapid analysis and reporting of regulatory and discharger activity, however, these systems are focused on only a portion of our programs. We have no sustainable capability to establish or support a Geographical Information System (GIS) for regional water quality information. We are, however, fortunately able to take advantage of the San Diego region's leadership in GIS development and implementation by several universities and public agencies. We are able to rely on regional support and access to several such systems; however, we are not able to integrate our regulatory information into these regional systems. The SWRCB is working to establish and fund a centralized SWRCB and Regional Board GIS system to fully automate our files and communications. This will allow us to incorporate our office-wide regulatory information, converted into a geo-spatial format, into a GIS.

4. REGIONAL WATER QUALITY OVERVIEW

The Regional Board provides regulatory oversight for the area extending from Laguna Beach in Orange County to the Mexican Border, extending inland to include Murrieta and Temecula in Riverside County and including much of San Diego County from the coast to the inland mountain ridgeline. This arid coastal region has an annual rainfall that varies from 9" in the south to over 20" near Mt. Palomar. The region is densely populated with most of the 3.8 million inhabitants living within a few miles of the coastline. The region has a major military presence for the US Navy and the Marine

Corps. Large bases are located at Camp Pendleton, MCAS Miramar and on San Diego Bay.

Agriculture from irrigated fields, groves, orchards and commercial scale nurseries has been historically important. Most water is imported by a water aqueduct system that has been continuously expanded and extended since its construction in 1947. The fishing, industrial and tourism activities are concentrated in the San Diego Bay area. A significant water quality problem has existed in the Tijuana River valley and estuary as a result of inadequate treatment of sewage from Tijuana, Mexico. This problem persists today, despite extensive efforts by both countries to convey and treat Mexican sewage. The Regional Board currently regulates the International Boundary and Water Commission Wastewater Treatment Plant (IWTP) and South Bay Ocean Outfall discharge with a NPDES permit.

Typically drinking water is the most significant water quality concern for a regional population. The San Diego Region has sufficient natural fresh water supply for only about 50,000 people. Because most potable water is imported from the Colorado River or Northern California, we have great concern for sustaining and even increasing these sources. The use of local ground water is the only source in some parts of the region and protecting all active or potential hydrologic basins is a growing concern of the Regional Board. The Basin Plan reflects that water contact recreation at beaches and streams is one of the most extensive beneficial uses of regional surface waters. Protecting this beneficial use is of great importance.

The most frequent impairment of water contact recreation is caused by high bacteria levels in coastal tributaries and at swimming beaches located near points of discharge for urban runoff. Over 80 miles of ocean beaches frequented by surfers, swimmers and beach-goers and several bays and estuaries in 11 watersheds have been significantly impacted by NPS discharges from development. The thousands of discharge sources from the residential, recreational, industrial, military, agricultural and municipal activities have resulted in pollutant loads that exceed the assimilative capacity of some water quality segments. This condition has resulted in those waters being listed as “impaired” in accordance with Section 303(d) of the Clean Water Act. The Regional Board anticipates conducting a TMDL process that will allocate a pollutant load to all dischargers that impact those waters.

C. REGIONAL BOARD PRIORITIES AND CHALLENGES

1. TOTAL MAXIMUM DAILY LOAD (TMDL)

For the past 18 months the SWRCB and all nine Regional Boards have embraced the TMDL effort as the highest over-all priority program. We have a significant challenge to continue our progress in developing new TMDL documents for Regional Board adoption and to implement those already adopted. As reflected in the Section 303(d) list for 2002, approximately 129 water body and pollutant combinations exist and we are currently working actively on 16 projects that comprise over 50 specific TMDL applications. The

total time to complete a TMDL depends on the nature of the pollutant and the characteristics of the water body. Most will take several years. Bacterial contamination is the greatest cause of impairment, accounting for approximately 29 % of total section 303(d) listings. The next largest impairment categories are sediment toxicity/degraded benthic communities (14 %) and metals (12 %).

A concern directly related to the TMDL effort is the Basin Plan Tri-annual Review process. Due to limited resources, we are currently unable to keep our Basin Plan up to date. We have several years of backlogged basin planning work that will not likely be completed. These resources are similar to those used to accomplish the TMDL effort. Although the immediate future looks viable for our TMDL program, it is not likely that our basin planning requirements will be satisfied for the foreseeable future. The precursor of the TMDL and Basin Planning requirements is the continuous oversight and biannual section 305(b) reporting of the condition of ambient waters and the Section 303(d) list of impaired waters. Although this process has been accomplished routinely in the past, the 2002 update was a very contentious and time-consuming effort. The SWRCB adopted the proposed list in February 2003 and the USEPA granted final approval in June 2003. It is a significant challenge to maintain a satisfactory level of work in TMDL, Basin Planning and Section 303(d) list work tasks, however the TMDL priority remains the highest priority.

TMDL Strategy:

a. Group similar impairment TMDL efforts such as bacteria, together to address multiple Section 303(d) listings in a single project and continuously improve stakeholder involvement.

b. Use legal authority to require more monitoring of receiving waters by dischargers to better define pollution conditions.

c. Carefully review TMDL efforts statewide and refine internal processes to transition from the TMDL development to the TMDL implementation to actually enforce the waste load reductions.

d. Seek opportunities to remove impaired water quality conditions outside the TMDL program through other actions of the Regional Board such as enforcement actions.

2. STORM WATER RUNOFF

Storm water related discharges are regulated by either municipal separate storm sewer system (MS4) permits, or by industrial storm water permits. An industrial storm water permit specifically intended for regulating construction site discharges regulates construction sites. The developed portions of the coastal areas of Orange, Riverside and San Diego Counties have highly developed municipal separate storm sewer systems that collect, convey and discharge urban runoff from paved roadways, residential, commercial, and industrial areas, and construction sites without treatment for removal of

pollutants. Many NPS pollutant contributions spread over large areas are channeled and collected by storm water systems and then discharged to receiving waters. This NPS waste load is currently the greatest single source of pollution in the Region and it is regulated by the Municipal Storm Water NPDES permits.

Regional ocean beaches, San Diego Bay, Mission Bay and the Tijuana River Estuary have been significantly impacted by historic and continuing urban runoff pollutant discharges. The water quality impacts from bacteria pollution at all swimming and surfing beaches in the Region is critical to both tourism and for use by local residents. Other pollutants discharged from municipal storm water systems such as trash, sediments, chemicals and metals significantly impact waters throughout the Region.

There are currently three Phase I MS4 permits that require each copermittee to establish capabilities to manage its municipal storm water systems to reduce pollutants to the maximum extent practicable. The copermittees will progressively implement jurisdiction and watershed based runoff management plans and use standard urban storm water mitigation plans for significant development and redevelopment. Current MS4 permits require that they will also establish coordinated oversight of construction sites and industrial sites that discharge to municipal storm water systems. Specific industrial and construction sites also require state general storm water permits.

With the exception of our regional military installations, the impact of the Phase II storm water permits will not likely contribute significantly to the near term improvement of water quality. The military installations will likely assume the Phase II permits and have limited participation in watershed based permit activity, however their course of action is unknown at this time. The increasing number of Phase II construction sites having one or more acres will require significantly more oversight effort by the SWRCB, our Regional Board and the copermittees. In the Industrial storm water program, we anticipate a slight reduction in the number of non-filer industrial dischargers as a result of the efforts of the copermittees. However, the Phase I and II industrial storm water program continues to lack resources for adequate implementation.

Storm Water Program Strategy:

a. Rigorous oversight of Phase I municipal storm water copermittees to require them to protect inland surface water and beaches. In the next five years, assure both Phase I and II copermittees improve and more effectively implement municipal storm water programs.

b. Move toward the use and implementation of a watershed-based system of storm water permitting.

c. Consolidation of the Phase II requirements for industrial and construction site storm water oversight into the municipal storm water program.

3. LOSS OF BENEFICIAL USES OF WATERS AND WETLANDS FROM URBANIZATION

The San Diego Region has a unique ecosystem that also has an unusually high number of endangered and threatened species of flora and fauna. Over 90% of the native coastal wetlands have been filled in for urban and industrial development. Protecting the beneficial uses of waters in the remaining coastal lagoons, streams and wetlands are a significant challenge. The watercourses in the eleven major watersheds in the region have had significant hydro-modification of portions of the bays, creeks, streams and rivers to "improve" them for the purpose of optimizing their suitability as conduits for storm water and urban runoff. In some locations, dams have been constructed to store or divert water.

These improvements have significantly degraded the habitat value and water quality characteristics of these waters. This process will continue as long as development is causing land use changes that alter natural runoff and increase pollutant loads into regional waters. There is an increasing reliance on water quality planning and mitigation to provide protection from such impacts. The process to obtain CWA Section 404 and 401 Water Quality Certifications offers an opportunity for the Regional Board to review projects and require mitigation or Waste Discharge Requirements to compensate or monitor for impacts to beneficial uses of waters of the State. Without a funding mechanism, the Regional Board has not been able to participate in a program established by the U.S. Army Corps of Engineers for the development of Special Area Management Plans. These plans facilitate a comprehensive joint planning effort by federal, state and local agencies to protect, restore and enhance aquatic resources while accommodating development activities.

Water quality mitigation and protection requires extensive intergovernmental coordination to scrutinize proposed and on-going development projects. There are currently about 1,000 active projects over five acres in size in the region and trends indicate continued development at this rate. The use of California Environmental Quality Act (CEQA) reports and other studies that pertain to sites of concern is hampered by the lack of a useful system to store, retrieve and process critical information for each site. We are also unable to keep track of the fate of mitigation projects to see if they produce the mitigating effects that were expected. We would be well served to review projects in the early stages of development and actively participate in the CEQA document review. This would ensure that water quality concerns were addressed prior to project approval. Currently, there are not sufficient resources for us to participate in early project development for almost all of the development in the region.

Development has resulted in many ephemeral streams now flowing year round, altering the stream's aquatic and riparian ecology. Another major impact from development is unnatural sediment loads caused by construction grading practices, wild land fires and agricultural activities. Coastal beaches are experiencing a shortage of beach sand deposition due to obstructions that limit the migration of bed load sediments to the beaches. Invasive species of flora such as arundo donax (giant reed) found in rivers and streams and caulerpa taxifolia, or "killer algae" found in Agua Hedionda Lagoon,

continue to threaten beneficial uses, however no known significant invasive fauna problems exist.

Strategy for Protecting Regional Waters and Wetlands:

a. Develop priorities to emphasize work on projects that have the greatest impact on beneficial uses and wetland functions.

b. Seek grant funding to conduct assessments of the effectiveness of efforts by project proponents to mitigate impacts to wetlands.

c. Develop a mechanism to be able to participate in regional planning efforts for protection of wetlands such as Special Area Management Plans.

d. Improve our information management system to better analyze, document and track Section 401 Water Quality Certifications.

4. SEDIMENT CONTAMINATION AND REMEDIATION

In San Diego Bay, decades of pollutant discharges have caused several sites to be designated as priority cleanup sites or toxic hot spots due to highly contaminated sediment. Dredging and maintenance of navigation infrastructure in San Diego Bay and other smaller bays and marinas in the region have required recurring Regional Board oversight of dredging and other discharging activities. However, restoring beneficial uses of waters in the vicinity of contaminated sediment remains a unique challenge because adequate sediment quality standards do not exist. Contaminated sediment is soils, sand, or organic matter that accumulate in water bodies and contain chemical substances which pose a known or suspected environmental or human health threat. Site restoration involves the abatement of the source of the pollutant and removal or containment of the contaminated sediment. In San Diego Bay, the Regional Board has successfully cleaned up sediment adjacent to several boatyards and industrial areas and one site has been sealed with a protective containment cap.

The Regional Board is currently involved in a unique 3-year effort to establish a process to determine the optimum cleanup level for contaminated sediment in San Diego Bay. This effort will carefully evaluate the short-term and long-term impacts of such a cleanup in relation to the reduction of risks to human health and the environment and other benefits. It will also include a thorough assessment of the physical, biological and chemical characteristics of the background and specific cleanup site locations in San Diego Bay to ensure that any cleanup is both cost-effective and protective of the environment. For each cleanup site, the disposal of dredge spoils will also be evaluated to minimize impacts to the environment.

Sites that require cleanup include four shipyards and several toxic sediment concentrations at the mouth of urban creeks entering the Bay. In all cases, we pursue the cleanup effort in concert with interested public parties and all known current and historic dischargers able to contribute to the cleanup effort. The priority of cleanup efforts is first

to protect human health at the most severely impacted sites and then to restore all other beneficial uses. The San Diego Port District, The US Navy, the City of San Diego and several industrial dischargers, research organizations and academic institutions are engaged with us in the sediment cleanup efforts in San Diego Bay.

Strategy for Sediment Cleanup:

a. Establish sediment cleanup levels for San Diego Bay sediment by July 2004.

b. Within the next five years, clean up contaminated sediment in the NTC Boat Channel, at three shipyards and at least two toxic hot spots.

5. NPDES POINT SOURCE REGULATION

Sewage treatment for about 95% of the nearly four million regional inhabitants relies on conveyance to treatment plants and either land or ocean disposal. The remaining 5% of the regional inhabitants rely on sub-surface septic systems. About 80% of all treated sewage discharges to the ocean through seven ocean outfalls. The sewage flow from Mexico also combines with these discharges to impact the estuarine and ocean waters in the southern portion of the region. Collectively, the region has 16 NPDES permits for sewage treatment and disposal discharges to the Pacific Ocean and inland surface waters. The most significant sewage related regional regulatory concern is sanitary sewage overflows or sewage spills.

The NPDES Permit program requires the adoption of new and updated permits through a public process and a hearing before the Regional Board. During the effective period of each permit, the Regional Board staff conducts site inspections and regularly reviews the monitoring reports provided by each discharger. For sewage system permits, a pretreatment program is required as part of the NPDES permit. Low-flow dry weather systems that divert flows from storm water sewer systems to sanitary sewer systems are being increasingly used. While highly desirable in the short-term, it provides limited benefit during high-flow wet weather conditions, when pollutants are conveyed to receiving waters without treatment.

Strategy for the NPDES Program:

a. Adopt new and revise existing NPDES permits to keep them current with existing regulatory requirements.

b. Continue to focus on sewage spills and establish regulatory oversight to ensure that low flow diversions from storm drain systems to sewage systems comply with comprehensive regulatory programs.

6. WATER SUPPLY AND REUSE

The Region's sparse rainfall requires that over 90% of water demand be met with imported water, mostly from the Colorado River. There are about 10 major reservoirs that store imported water and local runoff. Some of these reservoirs are threatened by urban

runoff pollution. Water supply for regional growth must be provided from imported sources or from local ground water and surface water supplies. Most development has been within the supply service area for imported water, however some development such as new rural multi-family housing developments and commercial activities at several Indian reservations, rely solely on local water supplies. In some locations this will over tax both the local surface water and ground water supply. In most locations however, shortages can be partially met with recycled water.

The regional capability for water reuse is slowly increasing. However development of the distribution and storage infrastructure has not kept pace with the production capacity. Most reclaimed water is discharged to the ocean. There are aggressive plans to expand the regional "purple pipe" system to facilitate reclaimed water use in new developments and in some developed areas where large landscaped areas can be conveniently supplied by extending the existing delivery system. The discharge of reclaimed water is regulated with Waste Discharge Requirements that are issued to the agency that produces and distributes the reclaimed water. The Regional Board has and will continue to use this approach.

The use of desalination technologies to treat seawater for potable use in the region will be increasingly used in the future. The Encina Power Plant in Carlsbad will commence a pilot project to produce up to 5 MGD and later expand to up to 50 MGD of potable water. Disposal of the brine from the desalination process is a potential water quality concern that the Regional Board must carefully evaluate for each site. The City of San Diego has considered using desalination to re-purify highly treated wastewater. However this project was shelved in 2001 due to lack of public support after opponents called it "toilet to tap" reuse. It may be resurrected in the future.

Strategy for Water Reuse:

a. Continue to support and regulate the use of reclaimed wastewater through adoption of waste discharge requirements.

b. Coordinate with project managers developing new desalination sites for purposes of water supply to ensure that the brine disposal impacts are properly regulated.

7. GROUNDWATER REGULATION

The San Diego Region does not contain extensive groundwater basins that are typically found in other Regions. Therefore, ground water is not currently a major source of public water supplies. Some small basins, however, are significant local sources and may function as "sole source" aquifers. Most of our groundwater basins are comprised of alluvial aquifers that underlie the larger rivers in the region. Other public water supplies are derived from fractured bedrock (e.g., granite, schist, etc.) aquifers that exist in several inland areas such as Ramona, Santa Ysabel, and Julian.

Groundwater uses are impacted by toxic chemical discharges at commercial/industrial sites, military facilities, and leaks from above ground and underground fuel storage tanks.

As a result of past spills, leaks and pollutant discharges to groundwater in the San Diego Region, 59 sites require continuing regulatory oversight. The San Diego Region has 19 federal Superfund (CERCLA) sites at Camp Pendleton, one California Superfund site in Escondido, and 2 others cases that are considered significant due to extensive groundwater plumes. At this time there are no significant perchlorate contamination sites.

There are currently over 1,100 active tank sites in the region. One is located at the Mission Valley Fuel Farm Terminal, where MTBE fuel leaks have impacted the San Diego River and underlying basin. Cleanup of this site is a high priority for the City of San Diego. In addition, the region has over 50 active and inactive landfill sites that pose a threat to groundwater from migration of leachate and/or contamination by landfill gas.

Our Strategy for Groundwater Protection:

a. Continue to prioritize and focus regulatory efforts on cleanup sites with groundwater pollution.

b. Review the municipal landfill project proposed at Gregory Canyon and require design and monitoring elements that minimize threats to groundwater resources in the San Luis Rey River Watershed.

c. Review proposed new landfill and tank sites to ensure the protection of groundwater.

d. Work to develop partnerships with water purveyors and local agencies dedicated to developing groundwater resources.

8. WATER QUALITY COMPLIANCE

A significant challenge exists to keep pace with enforcement actions that respond to non-payment of fees by all dischargers. A state-wide coordinated effort is underway to impose administrative civil liability (ACL) on all dischargers who fail to pay permit fees in a timely manner. Since the recent increase in reliance on fee payment by the SWRCB and all Regional Boards, this concern will remain an important enforcement issue. The Department of Defense installations in California have recently ceased paying fees for NPDES permits, Waste Discharge Requirements, and for other work performed by the Regional Boards, such as CEQA studies or Section 401 Water Quality Certifications. Although they pay for some cost-recovery work in specific programs, the San Diego Region military installations have not paid for most of our recent oversight work.

The continuous analysis of discharger monitoring reports has resulted in a very high rate of violations. All violations are recorded and reported to the Regional Board Members each quarter. Our goal is to discover, report and respond to all violations. Oversight of sewage spills and follow-up enforcement action has continued to be the hallmark of our enforcement program. Establishing and adhering to appropriate policies and priorities for enforcement will be key to our continued success. ACL enforcement has proven to be effective and efficient. However, the Regional Board is limited in its ability to take

effective enforcement action against the federal government because of principles of sovereign immunity. At those sites we are unable to utilize any mandatory minimum penalties (MMP) or ACL enforcement authority to attain compliance with regulatory requirements. Nevertheless, the Regional Board is currently pursuing compliance against the International Boundary and Water Commission to meet State of California water quality effluent treatment standards.

The approval of Supplemental Environmental Projects (SEPs) by the Regional Board also has been an integral part of enforcement. Our current workload to track and report on SEP activity is not funded. A possible contract with SANDAG to provide a part-time student to work on SEP oversight in our office is now being explored.

Strategy for Enforcement:

a. Continue to fund the enforcement coordinator position and compliance assurance unit to insure timely and effective enforcement.

b. Continue to prioritize enforcement actions. The most egregious and environmentally damaging violations are the highest priority as follows:
   (1) Sewage spills
   (2) Illegal and unauthorized fills of waters of the state
   (3) Violations of existing enforcement orders
   (4) Unregulated storm water and sediment discharges from construction sites

c. Continue assessment of civil liability for effluent limitation violations that are subject to mandatory penalties.

d. Improve oversight to reduce the rate of delinquency in payment of annual fees.

NEW CHALLENGES: EMERGING ISSUES

1. GRANTS AND PROJECTS MANAGEMENT

The San Diego Region is faced with significant water and habitat quality issues that have serious ramifications for support of beneficial uses in ground and surface waters. The Region is also presented with significant resources to address water quality problems from statewide bond acts, federal clean water programs, loan programs, and enforcement orders with which to address water quality problems. A new Grants and Projects Assistance Unit has been formed to mobilize and assist stakeholders to develop sound projects and to coordinate and manage projects to protect, enhance, and restore water quality and beneficial uses throughout the region.

Prior to 2000, funding for water quality projects was limited to federal Clean Water Act Section 319(h) and 205(j) grant programs, the State Revolving Fund program, and SEPs. In 2000, voters statewide approved Proposition 13, which authorized the state to sell $1.97 billion in general obligation bonds to support safe drinking water, water quality,

flood protection and water supply projects throughout the state. In 2002, California voters approved Propositions 40 and 50 that authorized the sale of $6 billion in general obligation bonds to support a variety of land, air, and water conservation program projects. The projects that can be funded include coastal protection, the CALFED Bay-Delta Program, integrated regional water management, safe drinking water, and water quality protection.

These funds are distributed through competitive grant programs for watershed protection, watershed planning, non-point source, and coastal non-point source, pollution prevention projects. Currently 25 grant-funded projects worth approximately $16 million are managed through contracts administrated by staff of the Grants and Projects Assistance Unit. The Grants and Projects Assistance Unit staffing requirements are expected to grow to at least four full-time positions as additional grants and contracts are awarded between 2003 and 2008.

Our Strategy for Grants and Projects Management:

a. Work with stakeholders to encourage and facilitate the development of sound project proposals to protect, enhance, and restore water quality and beneficial uses.

b. Collaborate and coordinate funding programs with other resource management agencies to maximize the public benefits of these programs.

c. Effectively manage contracts to put into effect stakeholder commitments and ensure timely completion of projects.

d. Develop a tracking program to identify indicators and track the intended water quality and beneficial use benefits of grant and SEP funded projects.